

JUDGE SULLIVAN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKMATTHEW J. ROSENWASSER**17 CV 5191**

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

FORDHAM UNIVERSITYJOHN CARROLL, Head of SecurityJOSEPH McShane, President**COMPLAINT**

Do you want a jury trial?

☐ Yes ☒ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

FILED  
 U.S. DISTRICT COURT  
 S.D. OF N.Y.  
 2017 JUL 10 PM 4:01

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

- 5<sup>th</sup> Amendment (due process)  
- 14<sup>th</sup> Amendment (due process)  
- 20 U.S.C. § 1681 (Title IX)

### B. If you checked Diversity of Citizenship

☒ Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, \_\_\_\_\_, is a citizen of the State of  
(Plaintiff's name)

\_\_\_\_\_  
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

\_\_\_\_\_  
If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, \_\_\_\_\_, is a citizen of the State of \_\_\_\_\_  
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of \_\_\_\_\_

If the defendant is a corporation:

The defendant, \_\_\_\_\_, is incorporated under the laws of the State of \_\_\_\_\_

and has its principal place of business in the State of \_\_\_\_\_

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>Matthew</u>	<u>J.</u>	<u>ROSENWASSER</u>
First Name	Middle Initial	Last Name

P O Box 895  
Street Address

<u>NEW YORK, NYC</u>	<u>NY</u>	<u>10163-0895</u>
County, City	State	Zip Code

<u>646-522-2506</u>	<u>Matt392@earthlink.net</u>
Telephone Number	Email Address (if available)

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

<u>FORDHAM</u>	<u>UNIVERSITY</u>
First Name	Last Name
<u>Current Job Title (or other identifying information)</u>	
<u>441 EAST FORDHAM ROAD</u>	
<u>Current Work Address (or other address where defendant may be served)</u>	
<u>BRONX, NYC</u>	<u>NY</u>
County, City	State
	<u>10458</u>
	Zip Code

Defendant 2:

<u>JOHN</u>	<u>CARROLL</u>
First Name	Last Name
<u>HEAD OF SECURITY, FORDHAM UNIVERSITY</u>	
<u>Current Job Title (or other identifying information)</u>	
<u>441 EAST FORDHAM ROAD</u>	
<u>Current Work Address (or other address where defendant may be served)</u>	
<u>BRONX, NYC</u>	<u>NY</u>
County, City	State
	<u>10458</u>
	Zip Code

Defendant 3:

<u>JOSEPH</u>	<u>McSHANE</u>
First Name	Last Name
<u>PRESIDENT, FORDHAM UNIVERSITY</u>	
<u>Current Job Title (or other identifying information)</u>	
<u>441 EAST FORDHAM ROAD</u>	
<u>Current Work Address (or other address where defendant may be served)</u>	
<u>BRONX, NYC</u>	<u>NY</u>
County, City	State
	<u>10458</u>
	Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

**III. STATEMENT OF CLAIM**Place(s) of occurrence: FORDHAM UNIVERSITY, LINCOLN CENTER CAMPUSDate(s) of occurrence: MAY, May, 2010, 2017**FACTS:**

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

- 
- Fordham filed false sexual harassment charges against me in 2010
  - Fordham refused to allow me to see false charges against me
  - Fordham refused to do investigation after 12 requests via email and letter
  - Refused to provide me with due process (5<sup>th</sup> and 14<sup>th</sup> Amendments)
  - Refused to inform me of Title IX (20 U.S.C. §1681) rights as per federal law
  - Did not perform Title IX investigation as required by Title IX 20 U.S.C. §1681
  - Through NYS Supreme Court Case #105186/2011, attempted to enforce 5<sup>th</sup>/14<sup>th</sup> Amendments and Title IX 20 U.S.C. §1681
  - Title IX 20 U.S.C. §1681 rights denied in May, 2017 by Motion for Dismissal by Fordham
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INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

- \$100,000,000

- Declare Fordham University in violation of Title IX  
20 USC §1681

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

7/7/17  
Dated

Matthew J. Rosenwasser  
Plaintiff's Signature

MATTHEW J. ROSENWASSER  
First Name Middle Initial Last Name

PO Box 895  
Street Address

NEW YORK, NYC NY 10163-0895  
County, City State Zip Code

646-522-2506 Matt392@earthlink.net  
Telephone Number Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.